

**WETHERSFIELD PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND MEETING**

September 16, 2014

The Wethersfield Planning and Zoning Commission held a public hearing and meeting on Tuesday, September 16, 2014 at 7:00 p.m. in the Wethersfield Town Council Chambers located at Town Hall, 505 Silas Deane Highway, Wethersfield, Connecticut 06109.

1. CALL TO ORDER:

Chairman Roberts called the meeting to order at 7:00 p.m.

1.1 ROLL CALL & SEATING OF ALTERNATES (5 members required for a quorum):

Clerk Margiotta called the roll as follows:

Member Name	Present	Absent	Excused
Richard Roberts, Chairman	✓		
Thomas Harley, Vice Chairman	✓		
Antonio Margiotta, Clerk	✓		
James Hughes	✓		
George Oickle	✓		
Joseph Hammer			✓
Anthony Homicki			✓
Angelo Robert Fazzina	✓		
Thomas Dean	✓		
Alex Vasel (alternate)	✓		
Leigh Standish (alternate)	✓		
Ryan Allard (alternate)	✓		

Also present were: Peter Gillespie, Town Planner/Economic Development Manager; and
Denise Bradley, Assistant Planner

Members of the Public were present.

Chairman Roberts noted at the time of roll call there were seven (7) full members and three (3) alternate members in attendance. All members present to participate. However, Commissioner Standish will not participate in the voting.

2. OLD BUSINESS:

There was no old business discussed during this meeting.

3. NEW BUSINESS:

3.1 PUBLIC HEARING APPLICATION NO.1834-14-Z: Rosario D'Agostino Seeking a Special Permit in accordance with Section 3.6.B.2 of the Wethersfield Zoning Regulations to construct a garage larger than permitted in a residential zone at 565 Wolcott Hill Road.

Attorney Leonard Jacobs, 146 South Main Street, Manchester, CT, 06040-6545 appeared before the Commission and is representing the Applicant, Rosario D'Agostino. Mr. D'Agostino is the owner of the

property and was also present for this meeting. Attorney Jacobs noted that proof of mailing (abutters notice) was submitted to the Planning Department and the appropriate sign was properly placed at the site. The Applicant is restoring the interior and exterior of the residence at the site, as it was in disrepair. The Applicant plans to have all of the exterior work completed by the end of the year and to work on the interior of the residence thereafter. The house would contain, with the addition, approximately thirty-two hundred (3200) square feet of living space. Attorney Jacobs indicated this amount of square footage is comparable to existing homes in the neighborhood. He thanked Town Staff for their assistance in filing the necessary paperwork to meet Town Regulations. The property is located almost entirely in an A Zone, and the Applicant is asking for permission to construct an addition on the rear of the existing home. The addition would contain twelve hundred and sixty (1260) square feet, plus an additional sixty (60) square feet for a vestibule and stairway. The twelve hundred and sixty (1260) square feet will be garage space, and the special permit is being sought due to the proposed garage exceeding the eight hundred fifty (850) square feet of garage space allowed pursuant to Town Regulations. Two (2) bays of the three (3) bay garage will be used for vehicles and the third bay will be used for yard equipment storage and access from indoors. Attorney Jacobs asked the Commission to consider neighbor support (via letter submissions) when deciding this Application. Attorney Jacobs noted the Applicant has met the criteria for a special permit pertaining to this Application.

Commissioner Fazzina inquired and Attorney Jacobs indicated the entire project would be completed by the end of 2015.

Commissioner Oickle inquired and Mr. D'Agostino indicated the front sidewalk at this site (Wolcott Hill Road sidewalk) will be repaired in or around the completion time of the landscaping and driveway. Mr. D'Agostino indicated he has no intention of splitting the lot, as there is a right of way for the sewer line (and, therefore, the lot cannot be split). Attorney Jacobs and Mr. D'Agostino are agreeable to the imposition of time limits for project completion if some protection is added (i.e. to address unforeseen circumstances such as weather perils, etc.) to those time limits. Mr. D'Agostino indicated the pine trees at the rear of the property will remain and that dead/rotted trees have been removed. Mr. D'Agostino indicated he would secure the site. Mr. D'Agostino noted there was a septic tank on site, and it was removed. A site connection to the sewer system occurred thereafter in November 2012. A water pipe will also be coming into the site. Mr. D'Agostino indicated that a natural landscaping, with inclusion of planting trees, will be added to the site. Commissioner Oickle indicated and Attorney Jacobs concurred the proposed addition will actually support the renovated kitchen planned for the interior of the residence. Commissioner Oickle noted the design and treatment of the steep driveway should be reviewed by the Applicant.

Commissioner Dean inquired and Mr. D'Agostino indicated the existing home is thirty one hundred and ninety-six (3196) square feet. Attorney Jacobs indicated the size of the home as proposed with the new addition would be approximately thirty two hundred (3200) square feet. Commissioner Dean explained that when viewing the footprint of the home and proposed addition, approximately forty (40%) percent of the actual footprint of the building is being added. Commissioner Dean inquired and Mr. D'Agostino indicated the financing is in place and a construction contract is in place for this project. Mr. D'Agostino indicated there was not a construction completion date noted in the contract. However, the contractor indicated that it would take approximately three to four (3-4) weeks to have framing completed, including roof and window installation. Mr. D'Agostino indicated the contractor has spent the last three (3) weeks shoring up the existing house with the window framing and other structural matters done to the house. Mr. D'Agostino confirmed with the contractor the completion of exterior work (the sealing and framing, windows, roof, siding) by the end of December 2014. Commissioner Dean cautioned the Applicant of having an open-ended construction contract without a firm completion date. Commissioner Dean inquired and Mr. D'Agostino indicated the size of the lot is 1.53 acres. Commissioner Dean commented that existing area on the lot consumed by building size is going from 7.8% to 10.4% (post addition) and that 30% is allowed by Town Regulations. Commissioner Dean wished success to the Applicant regarding this project.

Commissioner Hughes inquired and the Applicant indicated the front of the residence is targeted for completion (wrapped and closed up as noted by Attorney Jacobs in paragraph 2 above) by the first of January 2015. The Applicant indicated the land has been prepared for landscaping in the spring of 2015.

Chairman Roberts inquired and Mr. D'Agostino indicated the port-a-potty can be relocated as not to be seen from Wolcott Hill Road.

Commissioner Vasel inquired and Mr. D'Agostino indicated the stockpile of site (soil) material will remain on the site, as it will be spread out on the site when the site is landscaped.

Commissioner Allard mentioned the steep driveway at the site and suggested the drainage plan be designed mindful of avoiding water drainage occurrence toward the proposed garage. Mr. D'Agostino spoke of a swale being included in the drainage plan.

Chairman Roberts noted, for the record, the following correspondence: 1) Letter dated September 2, 2014, from Carole L. Christensen, 394 Wells Road, in support of the Application; 2) Letter dated September 9, 2014, from Tom Mazarella, 600 Wolcott Hill Road to the Wethersfield Planning & Zoning Commission in support of Application "with the stipulation that a building permit for the addition not be issued until all exterior construction of the front and both sides of the structure have been completed." 3) Letter dated September 12, 2014, from Wolcott Hill Road residents John Bantell (#550), John F. Dolan, III, and Lori M. Dolan (#560), Jonah Evenson and Farrah Evenson (#570), and William Connor (#540) to the Wethersfield Planning & Zoning Commission in support of this Application; and 4) Letter dated September 13, 2014, from Christiaan Hogendorn (555 Wolcott Hill Road), and Bermuda Road residents Joseph Brislin and Linda Brislin (#43), Mariano Garica and Gabriela Cosma (#52) in support of this Application.

PUBLIC COMMENTS: There were no comments made by members of the Public at this time.

Motion: Commissioner Hughes made a motion to close the Public Hearing of **PUBLIC HEARING APPLICATION NO.1834-14-Z: Rosario D'Agostino** Seeking a Special Permit in accordance with Section 3.6.B.2 of the Wethersfield Zoning Regulations to construct a garage larger than permitted in a residential zone at 565 Wolcott Hill Road.

Second: Commissioner Margiotta seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Oickle, Fazzina, Dean, Vasel, Allard;

Nay: None;

Vote: 9 – 0;

Public Hearing Closed.

Motion: Vice Chairman Harley made a motion to approve **PUBLIC HEARING APPLICATION NO.1834-14-Z: Rosario D'Agostino** Seeking a Special Permit in accordance with Section 3.6.B.2 of the Wethersfield Zoning Regulations to construct a garage larger than permitted in a residential zone at 565 Wolcott Hill Road with the following conditions:

- 1) Siding of the entire residence and addition shall be completed by April 1, 2015;
- 2) Port-o-lets shall be located at the rear of the site in a location not visible to Wolcott Hill Road;
- 3) Sidewalk slabs on Wolcott Hill Road that are located in front of the property shall be repaired;
- 4) The ultimate drainage plan (including but not limited to the slope of the driveway and associated drainage and relative to the neighbor's property to the north) shall be approved by the Town Engineer;
- 5) All lighting proposed shall be in accordance with Section 6.7 (Outdoor Lighting) of the Wethersfield Zoning Regulations and shall be full cut-off light fixtures';

- 6) The entire project shall be completed by and not exceed September 16, 2016, with reasonable, diligent, and continuous progress toward temporary certificate of occupancy; and
- 7) Items 1 through 6 shall be completed by the Applicant and shall be subject to Town Staff approval prior to the issuance of a temporary certificate of occupancy.

Second: Commissioner Oickle seconded the motion.

Voting:

Aye: Roberts, Harley, Margiotta, Hughes, Oickle, Fazzina, Dean, Vasel, Allard;

Nay: None;

Vote: 9 – 0;

Application Approved as Stipulated.

3.2 PUBLIC HEARING APPLICATION NO. 1836-14-Z: Tracy Becker/National Sign Corp.
Seeking a Special Permit in accordance with Section 6.3 of the Wethersfield Zoning Regulations for an intermittent flashing time/temperature freestanding sign at 1190-1206 Silas Deane Highway.

Ms. Tracy Becker appeared before the Commission on behalf of National Sign Corporation, 780 Four Rod Road, Berlin, CT. She noted the property owner (Phoenix Retail, LLC) would like to remove the twenty-four (24) square foot monument-styled sign currently found at the location referred to hereinabove (Liberty Bank/LasikPlus/William Raveis) and replace it with a 31.77 square foot ground sign that would include digital time and temperature changeable display.

Commissioner Oickle noted that a sign is needed at the site. He commented favorably of the plan to trim of trees and change the location of the existing sign. He noted the shrubbery in the front portion of the site should be removed, as it is difficult to see the bank building from the Silas Deane Highway. He also noted there are broken slabs that need repair which are located in proximity to the real estate office. Ms. Becker indicated she would pass that information along to the site owner.

Clerk Margiotta inquired and Ms. Becker indicated she is unaware of the material of the proposed sign.

Chairman Roberts inquired and Ms. Becker indicated she is unaware of the electronic display's time and temperature intervals.

Commissioner Oickle inquired and Commissioner Allard indicated similar signs are located in Rocky Hill.

Mr. Gillespie noted there are no sight line issues with respect to the placement of the proposed sign.

Ms. Becker offered to find out illumination and interval duration information for the proposed sign if the Commission requested that information.

Commissioner Vasel inquired and Mr. Gillespie indicated the Building Department would look at the

issue of whether the proposed sign needed footing.

Commissioner Dean mentioned that precedent would be set from the outcome of this Application.

PUBLIC COMMENTS:

There were no comments from the Public regarding this Application.

Motion: Vice Chairman Harley made a motion to close the Public Hearing regarding **PUBLIC HEARING APPLICATION NO. 1836-14-Z: Tracy Becker/National Sign Corp.** Seeking a Special Permit in accordance with Section 6.3 of the Wethersfield Zoning Regulations for an intermittent flashing time/temperature freestanding sign at 1190-1206 Silas Deane Highway.

Second: Commissioner Oickle seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Oickle, Fazzina, Dean, Vasel, Allard;

Nay: None;

Vote: 9 – 0;

Public Hearing Closed.

Motion: Vice Chairman Harley made a motion to approve **PUBLIC HEARING APPLICATION NO. 1836-14-Z: Tracy Becker/National Sign Corp.** Seeking a Special Permit in accordance with Section 6.3 of the Wethersfield Zoning Regulations for an intermittent flashing time/temperature freestanding sign at 1190-1206 Silas Deane Highway subject to the following stipulations:

1. The intervals of the intermittent flashing time/temperature messages occur no less than eight (8) seconds apart, and
2. The sign material must be approved by the Design Review Advisory Committee.

Second: Commissioner Oickle seconded the motion.

Discussion:

The Commissioners concurred that Town Staff shall address matters regarding the proposed sign including, but not limited to, addressing regulatory issues in that regard.

Voting:

Aye: Roberts, Harley, Margiotta, Hughes, Oickle, Fazzina, Dean, Vasel, Allard;

Nay: None;

Vote: 9 – 0;

Application Approved as Stipulated.

3.3 APPLICATION NO. 1837-14-Z: Northeast Towers/Denise Sabo Seeking Site Plan and Design Review in accordance with Section 9.1 Towers & Antennae) of the Wethersfield Zoning Regulations to modify the previously approved site plan to install a 10' x 16' concrete pad, 2 cabinets and associated site improvements at 250 Silas Deane Highway (Wethersfield Police Department).

Ms. Denise Sabo appeared before the Commission on behalf of Northeast Towers. The Applicant is requesting permission to modify the previously approved site plan to support new antennas on the monopole at Wethersfield Police Department, 250 Silas Deane Highway. The Applicant is proposing a concrete pad of ten by sixteen (10' x 16') feet with two (2) cabinets. The equipment would be installed in the area they are already leasing a 10' x 16' space (since July 2012 and paying rent since December). Ms. Sabo noted that the Connecticut Siting Council has approved this plan.

Chairman Roberts inquired and Ms. Sabo indicated the Applicant has received the September 15, 2014 Memo from Michael Turner regarding this Application.

Commissioner Oickle inquired and Ms. Sabo indicated the Applicant is fine with the recommendations made in the September 15, 2014 Memo by Michael Turner. She noted that in reference to comment #2, the Applicant is not planning to cut in, and therefore, comment #2 shall not apply. The construction manager informed Ms. Sabo that dead cables from Nextel exist on the pad and will be removed (allowing the Applicant to use the port). She referred to comment #9 and noted there will be two (2) concrete colored (gray) cabinets and that the concrete pad will be gray.

Commissioner Dean inquired and Ms. Sabo indicated the frequency or power intensity of the magnetic field resulting from the modifications proposed have been addressed by the CT Siting Council (and approved). Commissioner Dean quoted the section of the CT Siting Council Letter pertaining to this Application) that addresses his inquiry as follows: "This facility has been carefully modeled to ensure that radio frequency emissions are conservatively below State and federal standards applicable to the frequencies now used on this tower."

Chairman Roberts indicated the CT Siting Council has jurisdiction over this matter.

PUBLIC COMMENTS:

There were no comments made by the public regarding this Application.

Motion: Commissioner Oickle made a motion to approve **APPLICATION NO. 1837-14-Z: Northeast Towers/Denise Sabo** Seeking Site Plan and Design Review in accordance with Section 9.1 Towers & Antennae) of the Wethersfield Zoning Regulations to modify the previously approved site plan to install a 10' x 16' concrete pad, 2 cabinets and associated site improvements at 250 Silas Deane Highway (Wethersfield Police Department) with the eleven (11) conditions noted in the Memo to Peter Gillespie, Town Planner from Michael J. Turner, Director of Public Works/Town Engineer, dated September 15, 2014, as follows:

- 1) The applicants must provide a structural analysis of the tower improvements necessary to confirm ability to support their antenna and cabling.
- 2) The direction of cabling suggests they propose using a current port at the base and share with Verizon. Unsure if there is sufficient room. If the applicant requires a new port be cut into the tower for cable access, this port must be designed by a CT Professional Engineer and special care exercised during cutting in to assure no damage to town cabling already inside the tower. No cutting is allowed without Town representative present.
- 3) All work on the tower must be done by qualified riggers and in accordance with the terms and conditions of the site manager's rules and regulations for this site. A copy is available to the applicant.
- 4) Staging during construction must be coordinated so as not to interfere with Police Department activities. Contact Lt. Tom Mitney at 860-721-2910 to coordinate.
- 5) Construction and Maintenance personnel MUST check in at the dispatcher's window inside the Police Department (250 Silas Deane Highway) prior to entering the site.
- 6) All equipment and shelters should be grounded and tied to present tower and site halo ground.
- 7) It appears there may be one vacant meter slot for power. Costs for additional underground power/transformers shall be borne by the applicants. No overhead power or telecommunications will be allowed. Underground conduit routing should be depicted on the site plans.
- 8) No construction is allowed on site without the town site manager present

Specific Comments re: MetroPCS

- 9) Equipment shelter/cabinet to be same color and exterior finish as existing adjacent
- 10) The applicant proposes use of low profile mounts of antenna on tower- color should match antenna pole.
- 11) Need to furnish the lease agreement for review, comment, and Town record.

Second: Commissioner Dean seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Oickle, Fazzina, Dean, Vasel, Allard;

Nay: None;

Vote: 9 – 0;

Application Approved with Conditions.

4. OTHER BUSINESS:

There were no matters of Other Business discussed during this Meeting.

5. MINUTES – September 3, 2014 Planning & Zoning Commission Meeting Minutes

Motion: Commissioner Oickle motioned to approve the minutes, as submitted.

Second: Commissioner Fazzina seconded the motion.

Aye: Roberts, Harley, Margiotta, Oickle, Fazzina, Vasel, Allard;

Nay: None;

Abstain: Hughes, Dean;

Vote: 7– 0– 2;

Minutes approved as submitted.

6. STAFF REPORTS:

Mr. Gillespie reported that the appeal *Matthew W. Cooper v. Wethersfield Planning & Zoning Commission* (No. LND CV-13-6038480-S) decided in the land use docket at Hartford Superior Court was denied. The Commissioners briefly discussed the decision.

Mr. Gillespie indicated interested parties have mentioned to the Planning Department some potential upcoming projects. He noted that *Chips Restaurant* in the Goff Brook Plaza will be opening within a month.

There was a discussion regarding properties on Ridge Road and Arrow Road that may be subject to a tax sale in the near future.

As a result of a brief discussion with the Commission during this meeting, Mr. Gillespie indicated that Staff shall further research signage characteristics. The research will include but not be limited to, methods of illumination, flashing signage, and timing of change (intervals and frequency) in electronic signage.

7. PUBLIC COMMENTS ON GENERAL MATTERS OF PLANNING AND ZONING:

David Caruk, 149 Broad Street spoke in favor of the Town being liberal with signage regulation for promotion of business growth. He spoke unfavorably of the tabling of matters. He spoke of non-business friendly perception in Wethersfield.

8. CORRESPONDENCE:

There were no items of correspondence discussed at this meeting.

9. PENDING APPLICATIONS TO BE HEARD AT FUTURE MEETINGS:

9.1 PUBLIC HEARING APPLICATION NO. 1835-14-Z: Cedar Mountain Stone & Mulch

Seeking a two lot subdivision in accordance with Section 143 of the Wethersfield Subdivision Regulations at 1943 Berlin Turnpike.

Chairman Roberts indicated there was an issue with notice regarding this Application. Therefore, this Application will likely appear on the Agenda for the October 7, 2014, Planning & Zoning Commission Public Hearing and Meeting.

10. ADJOURNMENT:

Motion: Vice Chairman Harley motioned to adjourn the meeting at 8:33 p.m.

Second: Commissioner Dean seconded the motion.

Aye: Roberts, Harley, Margiotta, Hughes, Oickle, Fazzina, Dean, Vasel, Allard;

Nay: None;

Vote: 9 – 0;

Meeting adjourned.

Respectfully submitted,
Ellen Goslicki, Recording Secretary